

U.S. Department of the Interior  
Bureau of Land Management  
Little Snake Field Office  
455 Emerson Street  
Craig, CO 81625

## DOCUMENTATION OF LAND USE PLAN CONFORMANCE AND NEPA ADEQUACY

NUMBER: DOI-BLM-CO-N010-2012-0004-DNA

CASEFILE/ALLOTMENT NUMBER: 0500214/04417

PROJECT NAME: Temporary deviation from authorized season of use in the Jesse Flats Allotment.

LEGAL DESCRIPTION: see Allotment Map, Attachment 1

Jesse Flats Allotment #04417

T5N R94W por. secs. 17-21, 29

980 acres BLM  
153 acres State Land Board  
2,715 acres private  
3,848 acres total

APPLICANT: Harry Kourlis Ranch, Co.

### A. Describe the Proposed Action

The BLM would authorize the temporary deviation from the authorized season of use (TNR) for the fall 2012 grazing season by authorizing a November 1 turnout.

#### From:

Allotment	Livestock	Dates			
Name & Number	Number & Kind	Begin	End	% PL	AUMs
Jesse Flats #04417	150 C	05/10	06/11	31	50
	150 C	09/08	10/10	31	50
				Suspended	<u>20</u>
				Total	120

#### To:

Allotment	Livestock	Dates			
Name & Number	Number & Kind	Begin	End	% PL	AUMs
Jesse Flats #04417	300 C	11/01	12/02	31	100
				Suspended	20

The TNR authorization would be subject to the Standard and Common Terms and Conditions, see Attachment #2.

### **Background Information**

The grazing permit on the Jesse Flats, Cinder Knob (#04419) and the Coal Mountain (#04420) Allotments was renewed for 10 years in 2009. A DNA was prepared for this action, # DOI-BLM-CO-N010-2009-0098 and a permit was issued to Efficiency Lodge, Inc. through 2019.

On October 8, 2011, Harry Kourlis Ranch Co. submitted an application for the three allotments. Kourlis Ranch has entered into a base property lease with Efficiency Lodge beginning April 1, 2011 and ending January 30, 2019. Kourlis Ranch has requested a change in the season of use within the Jesse Flats Allotment. No request was made to change any other terms and conditions of the existing permit.

The Jesse Flats Allotment was found to be meeting all standards under the current grazing schedule of one month of spring use and one month of fall use. Shifting the grazing use to one month of higher intensity use (100 AUMs versus 50 AUMs) later in the dormant season would continue to meet standards as native plant species would have a chance to complete their life cycle and set seed before grazing begins. The impacts of fall grazing on the Jesse Flats Allotment were analyzed in Environmental Assessment CO-016-LS-99-24. The Jesse Flat Allotment was not used by livestock during the 2010 grazing year.

This temporary authorization would be subject to the Standard and Common Terms and Conditions found in Attachment 2.

### **B. Land Use Plan (LUP) Conformance**

LUP Name: Little Snake Record of Decision and Approved Resource Management Plan  
Date Approved: October, 2011

Final RMP/EIS, August, 2010

Draft RMP/EIS, January, 2007

Other Documents:

Colorado Public Land Health Standards and Guidelines for Livestock Grazing  
Date Approved: February 12, 1997

The Federal Land Policy and Management Act of 1976, as Amended (43 USC 1752)

Rangeland Reform Final Environmental Impact Statement, December 1994.

The proposed action is in conformance with the applicable LUPs because it is specifically provided for in the following LUP decisions:

The Proposed Action implements the Livestock Grazing Management Goals and Objectives on page RMP-41 of the ROD/Approved RMP to manage resources, vegetation, and watersheds to sustain a variety of uses, including livestock grazing, and to maintain the long-term health of the rangelands; provide for efficient management of livestock grazing allotments; and contribute to the stability and sustainability of the livestock industry. The proposed action has been reviewed for conformance with this plan (43 CFR 1610.5 BLM 1617.3). The proposed action of renewal of the grazing permit is in conformance with the Little Snake Record of Decision and Approved Resource Management Plan.

**C. Identify applicable NEPA documents and other related documents that cover the proposed action.**

Rangeland Program Summary (RPS), Little Snake Resource Area, November 15, 1990

Standard Terms and Conditions (See Attachment 2).

Standards of Public Land Health for the Axial Basin Watershed, 2007

FLPMA, Section 402 as amended (43 USC 1752).

Colorado Public Land Health Standards, Decision Record & Finding of No Significant Impact and Environmental Assessment, March 1997.

Environmental Assessment CO-016-LS-99-24, 4417/4419/4420 grazing permit renewal/transfer.

Documentation of NEPA Adequacy (DNA) DOI-BLM-Co-CO010-2009-0098, Renewal of the grazing permit on the Jesse Flats #04417, Cinder Knob #04419, and Coal Mountain #04420 Allotments.

**D. NEPA Adequacy Criteria**

**1. Is the current proposed action substantially the same action (or is a part of that action) as previously analyzed? Is the current proposed action located at a site specifically analyzed in an existing document?** A fall grazing period was analyzed in a site-specific Environmental Assessment CO-016-LS-99-24, 4417/4419/4420 Grazing Permit Renewal/Transfer. This EA also analyzed reductions in grazing use and the rotations that are to be continued under the current proposal. DNA DOI-BLM-Co-CO010-2009-0098, Renewal of the grazing permit on the Jesse Flats #04417, Cinder Knob #04419, and Coal Mountain #04420 Allotments also provided site specific analysis for fall grazing in the Jesse Flats Allotment as Standard Assessments were conducted on the allotment in 2003 and 2009 prior to the renewal of the ten year grazing permit.

**2. Is the range of alternatives analyzed in the existing NEPA document(s) appropriate with respect to the current proposed action, given current environmental concerns, interests, and resource values?** Yes, the multiple use alternatives analyzed in the valid NEPA documents are still appropriate. The current environmental concerns, interests, and resource values are essentially the same as those in 1999 and 2009. No new alternatives have been proposed by the public to address current or additional issues or concerns.

**3. Is the existing analysis valid in light of any new information or circumstances?** Yes. The Proposed Action would have no disproportionate impacts on minority populations or low income communities per Executive Order (EO) 12898 and would not adversely impact migratory birds per EO 13186.

Resource conditions on the Jesse Flats Allotment meet objectives and goals. The previous analysis remains valid. No new, threatened or endangered plant or animal species have been identified on the allotment. Data reaffirms that the RMP identified all resource concerns for the allotment.

**4. Do the methodology and analytical approach used in the existing NEPA document(s) continue to be appropriate for the current proposed action?** Yes, the methodology and analytical approach used in the existing NEPA documents continue to be appropriate for the Proposed Action. Impacts to all resources were analyzed.

**5. Are the direct and indirect impacts of the current proposed action substantially unchanged from those identified in the existing NEPA document(s)? Does the existing NEPA document analyze site-specific impacts related to the current proposed action?** Yes. Direct and indirect impacts of the Proposed Action are within the parameters of those identified in the existing NEPA documents. Impacts regarding the Proposed Action to authorize livestock grazing on the Jesse Flats Allotment at the modified grazing intensity and modified period of use are within the scope of the existing analysis (fall use shifted to later fall use). Monitoring data, including an allotment-specific analysis of resource conditions, assure that the allotment is in compliance with the Colorado Public Land Health Standards. No adverse site specific impacts were identified in this analysis (see Attachment 3).

The Proposed Action would provide for at least the minimum legal requirements for cultural resources management and protection and would generally result in benefits through cultural resource data acquisition resulting from required cultural resource survey work.

Previously identified sites and new sites recorded and evaluated as eligible and/or need data sites during a Class III survey will need to be monitored. Initial recordation of new sites and reevaluation of known sites will establish the current condition of the resource and help in developing a monitoring plan for all of these sites. Some sites will have to be monitored more often than others. Sites that are found to be impacted by grazing activities will need physical protection or other mitigative measures developed (see Attachment 4).

**6. Can you conclude without additional analysis or information that the cumulative impacts that would result from implementation of the current proposed action substantially unchanged from those analyzed in the existing NEPA document(s)?** Yes. The cumulative impacts that would result from the implementation of the Proposed Action would remain unchanged from those identified in the existing NEPA documents. No additional activities have been implemented on either that would change the impacts resulting from the Proposed Action.

**7. Are the public involvement and interagency review associated with existing NEPA document(s) adequate for the current proposed action?** Yes. Extensive public outreach through scoping and involvement of the public and other agencies occurred during the development of the RMP/EIS.

**E. Interdisciplinary Analysis:** Identify those team members conducting or participating in the preparation of this worksheet.

<b>Title</b>	<b>Resource</b>	<b>Date</b>
Ecologist	Air Quality, Floodplains Prime/Unique Farmlands, Water Quality – Surface, Wetlands/Riparian Zones	10/24/11
Archaeologist	Cultural Resources, Native American Concerns	10/27/11
Realty Specialist	Environmental Justice	10/25/11
Environmental Coord. NEPA	Hazardous Materials	10/21/11
Rangeland Management Spec.	Invasive Non-native Species	10/26/11
Rangeland Management Spec.	Sensitive Plants, T&E Plant	10/26/11
Wildlife Biologist	T&E Animal	10/27/11
Geologist	Water Quality - Ground	10/28/11
Recreation Specialist	WSA, W&S Rivers	10/26/11
Wildlife Biologist	Animal Communities	10/26/11
Wildlife Biologist	Special Status, T&E Animal	10/26/11
Rangeland Management Spec	Plant Communities	10/21/11
Rangeland Management Spec	Special Status, T&E Plant	10/26/11
Ecologist	Riparian Systems	10/24/11
Ecologist	Water Quality	10/24/11
Ecologist	Upland Soils	10/24/11

## **Land Health Assessment**

This action has been reviewed for conformance with the BLM's Public Land Health Standards adopted February 12, 1997. This action will not adversely affect achievement of the Public Land Health Standards. A Standard Assessment was conducted on August 19, 2009 and utilization monitoring was conducted in June of 2010 and again on October 13, 2011. Results of the utilization monitoring are summarized in Attachment #4.

## **Lands with Wilderness Characteristics**

Subject to WO-IM 2011-154 and in accordance with BLM policy, the Jesse Flats Allotment was evaluated for suitability as lands with wilderness characteristics and did not meet the roadless or an area greater than 5,000 acres criteria. Therefore, the proposed action would not affect lands with wilderness characteristics.

## **Conclusion**

Based on the review documented above, I conclude that this proposal conforms to the applicable land use plan and that the NEPA documentation fully covers the proposed action and constitutes BLM's compliance with the requirements of NEPA.

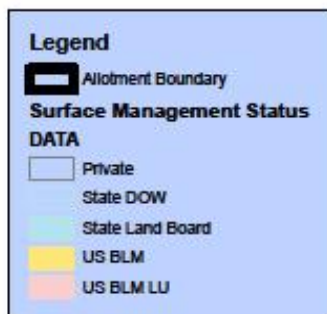
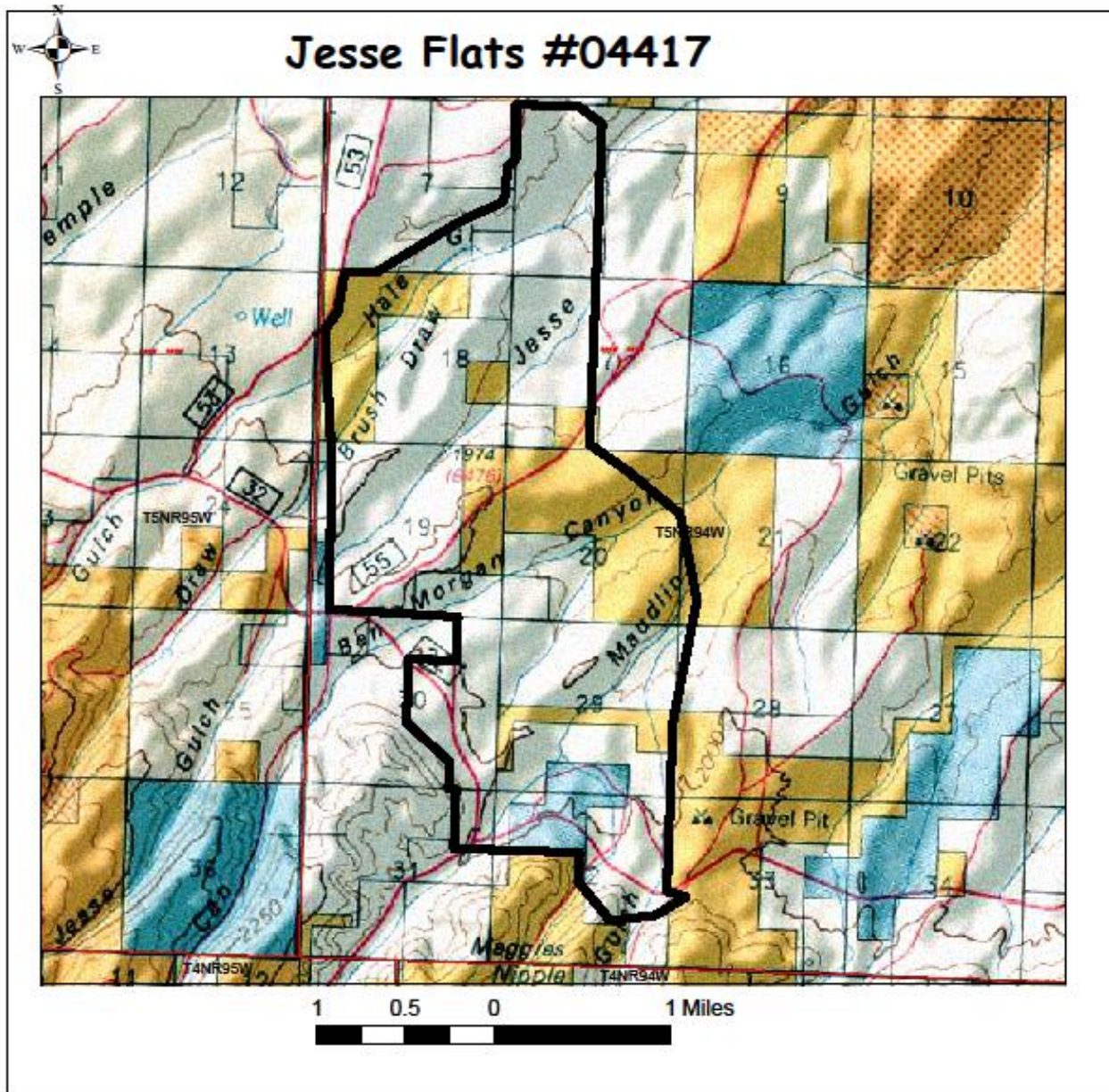
Signature of Lead Specialist /s/ Kathy McKinstry Date 10/27/11

Signature of NEPA Coordinator /s/ Barbara Sterling Date 10/28/11

Signature of the Authorizing Official /s/ Matt Anderson for Date 10/31/11  
Wendy Reynolds, Field Manager

Note: The signed Conclusion on this document is part of an interim step in the BLM's internal decision process and does not constitute an appealable decision.

# ATTACHMENT #1



Data	Acres
BLM	980
Private	2,715
State	153
Total	3848

**ATTACHMENT #2**  
**DOI-BLM-CO-N010-2012-0004-DNA**  
**TERMS AND CONDITIONS**

**Standard Terms and Conditions**

- 1) Grazing permit or lease terms and conditions and the fees charged for grazing use are established in accordance with the provisions of the grazing regulations now or hereafter approved by the Secretary of the Interior.
- 2) They are subject to cancellation, in whole or in part, at any time because of:
  - a. Noncompliance by the permittee/lessee with rules and regulations;
  - b. Loss of control by the permittee/lessee of all or a part of the property upon which it is based;
  - c. A transfer of grazing preference by the permittee/lessee to another party;
  - d. A decrease in the lands administered by the Bureau of Land Management within the allotment(s) described;
  - e. Repeated willful unauthorized grazing use;
  - f. Loss of qualifications to hold a permit or lease.
- 3) They are subject to the terms and conditions of allotment management plans if such plans have been prepared. Allotment management plans **MUST** be incorporated in permits and leases when completed.
- 4) Those holding permits or leases **MUST** own or control and be responsible for the management of livestock authorized to graze.
- 5) The authorized officer may require counting and/or additional or special marking or tagging of the livestock authorized to graze.
- 6) The permittee's/lessee's grazing case file is available for public inspection as required by the Freedom of Information Act.
- 7) Grazing permits or leases are subject to the nondiscrimination clauses set forth in Executive Order 11246 of September 24, 1964, as amended. A copy of this order may be obtained from the authorized officer.
- 8) Livestock grazing use that is different from that authorized by a permit or lease **MUST** be applied for prior to the grazing period and **MUST** be filed with and approved by the authorized officer before grazing use can be made.
- 9) Billing notices are issued which specify fees due. Billing notices, when paid, become a part of the grazing permit or lease. Grazing use cannot be authorized during any period of delinquency in the payment of amounts due, including settlement for unauthorized use.



- 10) Grazing fee payments are due on the date specified on the billing notice and MUST be paid in full within 15 days of the due date, except as otherwise provided in the grazing permit or lease. If payment is not made within that time frame, a late fee (the greater of \$25 or 10 percent of the amount owed but not more than \$250) will be assessed.
- 11) No member of, or Delegate to, Congress or Resident Commissioner, after his/her election of appointment, or either before or after he/she has qualified, and during his/her continuance in office, and no officer, agent, or employee of the Department of Interior, other than members of Advisory committees appointed in accordance with the Federal Advisory Committee Act (5 U.S.C. App. 1) and Sections 309 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.) shall be admitted to any share or part in a permit or lease, or derive any benefit to arise therefrom; and the provision of Section 3741 Revised Statute (41 U.S.C. 22), 18 U.S.C. Sections 431-433, and 43 CFR Part 7, enter into and form a part of a grazing permit or lease, so far as the same may be applicable.

### **Common Terms and Conditions**

- A) Grazing use will not be authorized in excess of the amount of specified grazing use (AUM number) for each allotment. Numbers of livestock annually authorized in the allotment(s) may be more or less than the number listed on the permit/lease within the grazing use periods as long as the amount of specified grazing use is not exceeded.
- B) Unless there is a specific term and condition addressing utilization, the intensity of grazing use will insure that no more than 50% of the key grass species and 40% of the key browse species current years growth, by weight, is utilized at the end of the grazing season for winter allotments and the end of the growing season for allotments used during the growing season. Application of this term needs to recognize recurring livestock management that includes opportunity for regrowth, opportunity for spring growth prior to grazing, or growing season deferment.
- C) Failure to maintain range improvements to BLM standards in accordance with signed cooperative agreements and/or range improvement permits may result in the suspension of the annual grazing authorization, cancellation of the cooperative agreement or range improvement permit, and/or the eventual cancellation of this permit/lease.
- D) Storing or feeding supplemental forage on public lands other than salt or minerals must have prior approval. Forage to be fed or stored on public lands must be certified noxious weed-free. Salt and/or other mineral supplements shall be placed at least one-quarter mile from water sources or in such a manner as to promote even livestock distribution in the allotment or pasture.
- E) Pursuant to 43 CFR 10.4(g), the holder of this authorization must notify the authorized officer, by telephone, with written confirmation, immediately upon the discovery of human remains, funerary items, sacred objects, or objects of cultural patrimony. Further, pursuant

to 43 CFR 10.4(c) and (d), you must stop activities in the vicinity of the discovery and protect it for 30 days or until notified to proceed by the authorized officer.

The operator is responsible for informing all persons who are associated with the allotment operations that they will be subject to prosecution for knowingly disturbing historic or archaeological sites, or for collecting artifacts. If historic or archaeological materials are encountered or uncovered during any allotment activities or grazing activities, the operator is to immediately stop activities in the immediate vicinity and immediately contact the authorized officer. Within five working days the authorized officer will inform the operator as to:

- whether the materials appear eligible for the National Register of Historic Places;
- the mitigation measures the operator will likely have to undertake before the identified area can be used for grazing activities again.

If paleontological materials (fossils) are uncovered during allotment activities, the operator is to immediately stop activities that might further disturb such materials and contact the authorized officer. The operator and the authorized officer will consult and determine the best options for avoiding or mitigating paleontological site damage.

- F) No hazardous materials/hazardous or solid waste/trash shall be disposed of on public lands. If a release does occur, it shall immediately be reported to this office at (970) 826-5000.
- G) The permittee/lessee shall provide reasonable administrative access across private and leased lands to the BLM and its agents for the orderly management and protection of public lands.
- H) Application of a chemical or release of pathogens or insects on public lands must be approved by the authorized officer.
- I) The terms and conditions of this permit/lease may be modified if additional information indicates that revision is necessary to conform with 43 CFR 4180.

**ATTACHMENT #3**  
**DOI-BLM-CO-N010-2012-0004-DNA**  
**Standards and Assessments\***  
**Jesse Flats Allotment #04417**

**STANDARD 1. Upland soils exhibit infiltration and permeability rates that are appropriate to soil type, climate, land form, and geologic processes. Adequate soil infiltration and permeability allows for the accumulation of soil moisture necessary for optimal plant growth and vigor, and minimizes surface runoff.** The Jesse Flats Allotment is meeting this standard. Throughout the allotment, upland soil infiltration and permeability rates are appropriate for the sites and adequate vegetative cover is present to protect the soil surface from hydrologic influences. Grazing use as proposed would not preclude this allotment from meeting this standard.

**STANDARD 2. Riparian systems associated with both running and standing water functions properly and has the ability to recover from major disturbances such as fire, severe grazing, or 100-year floods. Riparian vegetation captures sediment and provides forage, habitat, and biodiversity. Water quality is improved or maintained. Stable soils store and release water slowly.** The riparian systems associated with the drainages on public lands within this allotment are extremely limited and mainly on private land (Jesse Gulch). Although snow melt can be substantial, flow within these systems is relatively small and is not causing erosion or bank cutting. Spring flows are primarily subsurface with water being piped to water tanks.

The proposed action on the allotment would maintain or enhance riparian systems. By shifting the season of use to a month later in the dormant season, the weather will be much cooler and cattle will not be seeking out riparian areas. Cattle diets will also shift from the courser riparian species to more palatable upland species.

Overall, the riparian standard would be met with the implementation of the proposed action on the Jesse Flats Allotment.

**STANDARD 3. Healthy, productive plant and animal communities of native and other desirable species are maintained at viable population levels commensurate with the species and habitat potential. Plants and animals at both the community and population levels are productive, resilient, diverse, vigorous, and able to reproduce and sustain natural fluctuations and ecological processes.** This standard is not being met in portions of the Jesse Flats Allotment. Some areas in the Jesse Flats Allotment have an overabundance of cheatgrass and there is tamarisk and Russian olive in the gulches on private lands in the allotment. There are some area in the allotment have decadent stands of big sagebrush with closing canopies that are decreasing the abundance of perennial herbaceous species. While the closing-canopy sagebrush coupled with decreases in herbaceous plant diversity is related to a lack of natural disturbance in those sagebrush-dominated communities, the cheatgrass abundance is related to historic livestock management. Current management of the Jesse Flats Allotment, in association with the two other allotments that will be transferred to the Harry Kourlis Ranch, as described by this proposed action, prescribes a rotation of grazing and stocking rates that, based on monitoring, are appropriate. It is unlikely that any change in current management would, in itself, have an appreciable effect on

areas where this standard is not being met. Other actions, such as prescribed fire or mechanical treatments coupled with integrated pest management practices; along with the continuation of current livestock management as prescribed by the proposed action would move these allotments towards meeting this standard for plant communities.

The Jesse Flats grazing allotment provides valuable productive wildlife habitat that are capable of supporting a variety of wildlife species at various times of the year including big game severe winter range. The proposed grazing within this allotment will not degrade wildlife habitats. For wildlife, this standard is currently being met and would continue to be met in the future under the proposed action.

**STANDARD 4. Special status, threatened, and endangered species (federal and state), and other plants and animals officially designated by BLM, and their habitats are maintained or enhanced by sustaining healthy native plant and animal communities.** There are no federally listed threatened or endangered or BLM sensitive plant species present on the Jesse Flats Allotment. For plants, this standard does not apply.

The Jesse Flats Allotment provides nesting and brood rearing habitat for greater sage grouse, a BLM Special Status Species. This allotment is providing productive habitat for greater sage grouse. The proposed grazing system has been in place for the previous ten years and has not resulted in degradation to greater sage-grouse habitats within this allotment. This standard is currently being met and would continue to be met in the future under the proposed action.

**STANDARD 5. The water quality of all water bodies, including ground water where applicable, located on or influenced by BLM lands will achieve or exceed the Water Quality Standards established by the State of Colorado. Water Quality Standards for surface and ground waters include the designated beneficial uses, numeric criteria, narrative criteria, and anti-degradation requirement set forth under State law as found in 5 CCR 1002-8, as required by Section 303 of the Clean Water Act.** The proposed action would meet this standard on the allotment. All affected stream segments are supporting classified uses and none are listed as impaired.

\* Standard Assessments were conducted on June 24, 2003 and August 19, 2009 by an interdisciplinary team.

**ATTACHMENT #4**  
**DOI-BLM-CO-N010-2012-0004-DNA**  
**Cultural Resources and Native American Concerns - Heritage Rpt. #10.9.2012**

**Affected Environment:** Grazing authorization renewals are undertakings under Section 106 of the National Historic Preservation Act. Range Improvements associated with the allotment (e.g. fences, spring improvements) are subject to compliance requirement under Section 106 and will undergo standard cultural resources inventory and evaluation procedures. During Section 106 review, a cultural resource assessment was completed for the Jessie Flats Allotment (#04417) on October 26, 2011 by Ethan Morton, Little Snake Field Office Archaeologist (Morton 2011). The assessment followed the procedures and guidance outlined in the 1980 National Programmatic Agreement Regarding the Livestock Grazing and Range Improvement Program, IM-WO-99-039, IM-CO-99-007, IM-CO-99-019, and IM-CO-01-026. The results of the assessment are summarized below. Copies of the cultural resource assessment are on file at the Little Snake Field Office.

The prehistoric and historic cultural context for northwestern Colorado has been described in several recent regional contexts. Reed and Metcalf's (1999) context for the Northern Colorado River Basin is applicable for the prehistoric context and historical contexts include overviews compiled by Frederic J. Athearn (1982) and Michael B. Husband (1984). A historical archaeology context has also been prepared for the state of Colorado by Church and others (2007). In addition, an overview of significant cultural resources on BLM-LSFO administered lands has been compiled by McDonald and Metcalf (2006).

Data developed here was taken from the cultural program project report files, site report files, and atlases kept at the Little Snake Field Office. Electronic files were also accessed at the Colorado Office of Archaeology and Historic Preservation through the on-line Compass database system. Government Land Office plat maps, patent records, and USGS 1:24,000 scale topographical maps were also reviewed for potential undocumented historic resources.

The table below is based on an analysis developed for the specific allotment in this DNA. The table shows known cultural resources, eligible and need data, and those that are anticipated to be in each allotment.

Allotment Number (BLM acres)	Acres Surveyed at a Class III Level	Acres NOT Surveyed at a Class III Level	Percent of Allotment Inventoried at a Class III Level	Eligible or Need Data Sites- Known in Allotment	Estimated Sites for the Allotment *(total number)	Estimated Eligible or Need Data Sites in the Allotment (number)
04417(980)	1	979	.01%	0	102	30

(Note \*Estimates of site densities are based on known inventory data. Estimates should be accepted as baseline figures which may be revised upwards or downwards based on future inventory findings.)

Two cultural resource inventories were within the Jesse Flats Allotment #04417 resulting in the complete coverage inventory of one acre and the recording of no cultural resources. An examination of 1907 GLO plat indicate potential historic resources in Sections 18, 19, and 29 consisting of wagon roads and a historic fence line in Section 29.

Based on the available data (site density) there are approximately 102 cultural resources on BLM administered land with the allotment. It is likely that approximately 30 of these resources will be eligible for the National Register.

Subsequent cultural resource inventory will be conducted in areas where livestock concentrate within ten years of issuance of a permit. This subsequent inventory will consist of approximately 240 acres and will also involve the evaluation of the potential historic resources identified on the GLO plats. If archaeological or historic sites potentially eligible for the National Register are identified during the subsequent field inventory, and BLM determines that grazing activities are adversely impact the properties, mitigation will be identified and implemented in consultation with the Colorado State Historic Preservation Officer.

**Environmental Consequences, Proposed Action:** The direct impacts that occur where livestock concentrate, during normal livestock grazing activity, include trampling, chiseling, and churning of site soils, cultural features, and cultural artifacts, artifact breakage, and impacts from standing, leaning, and rubbing against historic structures, above-ground cultural features, and rock art (Broadhead 2001, Osbourn et al. 1987). Indirect impacts include soil erosion, gullyng, and increased potential for unlawful collection and vandalism. Continued livestock use in these concentration areas may cause substantial ground disturbance and cause irreversible adverse effects to historic properties. Placement of mineral supplements, which can create concentration areas, would potentially impact historic properties if they are in proximity of the placement.

Continued livestock management under the proposed action is appropriate, as long as new discovery's of cultural resources are property mitigated if grazing impacts are occurring. If archaeological or historic sites potentially eligible for the National Register are identified during the subsequent field inventory, BLM will field visit these properties and assess the livestock grazing impacts. Any mitigation will be identified and implemented in consultation with the Colorado State Historic Preservation Officer. The livestock impacts will be assessed within the ten-year period of the permit.

**Mitigative Measures:** Standard Stipulations for cultural resources are included in Standard Terms and Conditions for the Range Renewal Permit (Attachment 2).

#### References Cited

Athearn, Frederic J.  
1982 *An Isolated Empire: A History of Northwest Colorado*. Bureau of Land  
Management-Colorado. Cultural Resource Series No. 2, Second Edition. Denver.

Broadhead, Wade

2001 Brief Synopsis of Experiments Concerning Effects of Grazing on Archaeological Sites. Ms. on file, Bureau of Land Management, Gunnison Field Office, Gunnison, Colorado.

Church, Minette C., Steven G. Baker, Bonnie J. Clark, Richard f. Carrillo, Jonathan C. Horn, Carl D. Spath, David R. Guilfoyle, and E. Steve Cassells

2007 *Colorado History: A Context for Historical Archaeology*. Colorado Council of Professional Archaeologists, Denver.

Husband, Michael B.

1984 *Plateau Country Historic Context*. Office of Archaeology and Historic Preservation, State Historic Preservation Office, Denver.

McDonald Kae and Michael Metcalf

2006 *Regional Class I Overview of Cultural Resources for the BLM Little Snake Field Office*. Metcalf Archaeological Consultants, Inc. Eagle, Colorado.

Morton, Ethan

2011 *DNA input for the Grazing Lease Renewal on the Jessie Flats Allotment #04417*. DOI-BLM-CO-N010-2012-0004-DNA. Ms on file. BLM-LSFO 10.9.2012. Craig Colorado.

Reed, Alan D. and Michael Metcalf

1999 *Colorado Prehistory: A Context for the Northern Colorado River Basin*. Colorado Council of Professional Archaeologists, Denver, Colorado.

Osborn, Alan, Susan Vetter, Ralph Hartley, Laurie Walsh, Jesslyn Brown

1987 *Impacts of Domestic Livestock Grazing in the Archaeological Resources of Capitol Reef National Park, Utah*. Occasional Studies in Anthropology No. 20. Ms. on file, Midwest Archaeological Center, Lincoln, Nebraska.

## **NATIVE AMERICAN RELIGIOUS CONCERNS**

Letters were sent to the Uinta and Ouray Tribal Council, Southern Ute Tribal Council, Ute Mountain Utes Tribal Council, Shoshoni Tribal Historic Preservation Officer, and the Colorado Commission of Indian Affairs in the spring of 2011 discussing upcoming projects the BLM would be working on in FY10 and FY11. Letters were followed up with phone calls. No comments were received (Letters on file at the Little Snake Field Office, Craig, Colorado). The BLM LSFO consults semi-annually regarding undertakings. No comments specific to lease sales were brought to our attention. No Native American Religious Concerns or Traditional Cultural Properties (TCPs) are known in the area. What we have learned through past consultation is that Native American groups have a generalized concept of spiritual significance that is not easily transferred to Western models or definitions. As such the BLM recognizes that they have identified sites that are of concern because of their association with ancestral occupation of the area as part of their traditional lands. This allotment is in an area used by these Native American groups into historical times. Tribal representatives have consulted with the BLM Field Office on previous projects in this general area and provided instructions for the protection of culturally sensitive sites, should any be discovered during inventory or proposed actions. In addition to the stipulations for the protection of Cultural Resources if new information is brought forward any site-specific Native American

mitigation measures suggested during previous notification/ consultation would be considered during analysis of any future undertakings. If new information is provided by Native Americans, additional or edited terms and conditions for mitigation may have to be negotiated or enforced to protect resource values.



**ATTACHMENT #5**  
**DOI-BLM-CO-N010-2012-0004-DNA**  
**Jesse Flats Utilization Monitoring**

<b>Month/Year</b>	<b>Utilization (%) Key Area 1</b>	<b>Utilization (%) Key Area 2</b>	<b>Utilization Key Area 3</b>
06/10	7%	11%	8%
10/11	6%	9%	7%

Key Species

Western wheatgrass

Needle and thread

Other perennial grasses

Bluebunch wheatgrass

Bottlebrush squirreltail

Sandberg bluegrass